

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JUSTIN RIDDLE,

Plaintiff,

CASE NO. 8:24-cv-00431

v.

OMAHA PUBLIC SCHOOLS,

Defendant.

MOTION TO DISMISS

Defendant, Omaha Public Schools ("OPS"), pursuant to Fed. R. Civ. P. 12(b)(6), moves to dismiss the Complaint for failure to state a claim upon which relief can be granted.

WHEREFORE, OPS respectfully requests that the Court grant its motion and dismiss this action with prejudice at Plaintiff's cost, and award OPS such other relief as the Court deems appropriate.

Dated this 6th day of November, 2024.

OMAHA PUBLIC SCHOOLS, Defendant,

By: /s/ Steven D. Davidson

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of November, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

None

and I hereby do certify that I have mailed the document by United States Postal Service to the following non CM/ECF participants:

Justin Riddle
16422 Patrick Ave.
Omaha NE 68116

/s/ Steven D. Davidson

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